

REMARKS

This Preliminary Amendment with a Request for Continued Examination is in response to the Final Office Action dated January 10, 2008. The Examiner rejects pending claims 1, 2, 4 through 16 and 18 through 25 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2005/0071255 to Wang, et al. ("Wang") in view of U.S. Patent Publication No. 2005/0080772 to Bem ("Bem") and further in view of U.S. Patent No. 6,640,218 to Golding, et al. ("Golding"). For at least the reasons set forth below, Applicant respectfully requests reconsideration and withdrawal of the rejection in view of the remarks presented herewith.

Claims 1, 2, 4 through 16 and 18 through 25 are currently pending in the present application, with claims 1, 19 and 25 being independent claims. By way of present amendment, Applicant hereby amends claims 1, 19 and 25 to recite greater clarity of the presently claimed invention. The present amendments introduce no new matter as they are supported by the specification as originally filed and entry is respectfully requested regarding the same.

Regarding the rejection of the pending independent claims under 35 U.S.C. 103(a), independent claim 1, as amended, is directed towards a method of scoring data for use in a search engine. The method comprises tracking clicks by users on data returned in a search result in response to a query. A user preference is determined for a clicked data in accordance with a physical position of the clicked data in the search result. Determining the user preference for the clicked data is performed by determining a ratio calculating the quotient of actual clicks to and clicks expected for the clicked data and a specific query, and determining a context dependent user

preference score in accordance with a weight table keyed to one of a plurality of types of user interfaces. The method further comprises using the determined user preference to determine rankings for display of future search results. Independent claims 19 and 25 are substantially similar to independent claim 1, but cast as an apparatus and computer program product, respectively.

Applicant respectfully asserts that Wang, Bem, and Golding, either alone or in combination, fail to teach or suggest all the elements of independent claims 1, 19 and 25 because, as amended, each claim comprises the element of “determining a context dependent user preference score in accordance with a weight table keyed to one of a plurality of types of user interfaces.” Applicant has extensively reviewed the references cited by Examiner and has found no corresponding element.

By contrast, the references of the prior art discuss more generic examples of interfaces and fail to take into account user interfaces with specificity to generate a particular user preference score. For example, Wang discusses a scoring system in the context of a “shopping/product search site.” (Wang, ¶[0024]). Bem discusses an “advertising environment,” (Bem, ¶[0035]), and Golding discusses an information retrieval system in the context of a “search engine.” (Golding, Col. 7, ll. 20-49). These references do not take into account a user preference score relating to specific types of different interfaces, for example, a video search weight table would be different than an image search weight table. Such functionality allows leveraging of click information from a variety of interfaces to compute the overall relevance or user preference score.

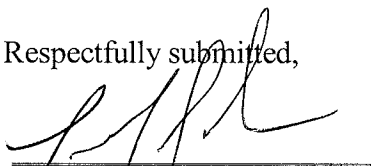
Thus, for at least these reasons, Wang, Bem, and Golding, either alone or in combination, fail to teach or suggest the elements of independent claims 1, 19 and 25

as amended. Accordingly, Applicants respectfully request withdrawal of the rejection of independent claims 1, 19 and 25 and allowance regarding the same.

The dependent claims of the present application contain additional features that further substantially distinguish the invention of the present application over the prior art of record. Given the Applicant's position on the patentability of the independent claims, however, it is not deemed necessary at this point to delineate such distinctions.

For at least all of the above reasons, Applicants respectfully request that the Examiner withdraw all rejections and objections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the examiner is invited to call the Applicants' undersigned representative to discuss any issues relating to this application.

Respectfully submitted,



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